

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael A. BREINING *et al.*

Application No.: 10/734,238

Filed: December 15, 2003

For: HEAT INSULATING PAPER CUPS

Group Art Unit: 1772

Examiner: Michael Miggins

**RECEIVED
CENTRAL FAX CENTER****JUL 07 2006****TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Owner, Fort James Corporation, of the entire interest of the subject patent application recorded at Reel/Frame 009028/0506 hereby disclaims, except as provided below, the terminal part of the statutory term of U.S. Patents: 6,416,829; 6,129,653; 6,482,481; and 6,565,934 (the " '829, '653, '481, and 934 patents"), which would extend beyond the expiration date of the full statutory term defined of the '829, '653, '481, and 934 patents in 35 U.S.C. §§154 to 156. The '829 patent is fully owned by Fort James Corporation, as shown by the assignments recorded at Reel/Frame 009028/0506 and 012801/0512. The '653 patent and related '481 patents are fully owned by Fort James Corporation as shown by the assignment recorded at Reel/Frame 009455/0042. Finally, the '934 patent is fully owned by Fort James Corporation, as shown by the assignment recorded at Reel/Frame 010225/0845. The Owner hereby agrees that the subject patent applications (and any patent(s) issuing therefrom) shall be enforceable only for and during such period that it and the '829, '653, '481, and 934 patents are commonly owned. This agreement runs with the subject patents and is binding upon Owner, its successors or assigns.

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Attorney Docket No.: 11965 D1P1D1
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In making the above disclaimer, the Owner does not disclaim the terminal part of the subject patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 of the '829, '653, '481, and 934 patents in the event that the '829, '653, '481, and 934 patents: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

The undersigned is an Officer and registered patent attorney of record on behalf of Fort James Corporation.

The Commissioner is authorized to debit the fee for this submission in the amount of \$130.00 from Deposit Account No. 50-0674. If any additional fees are required, please debit our Deposit Account No. 50-0674, accordingly.

Respectfully Submitted,


Jacqueline M. Hutter
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Dated: July 6, 2006